

Remarks

In view of the above amendments and the following remarks, favorable reconsideration of the outstanding office action is respectfully requested.

Claims 1-52 remain in this application. Claim 34 has been amended.

1. Restriction Requirement

The Examiner issued a Restriction Requirement identifying the following groups of claims as being drawn to potentially distinct inventions:

- Group I. Claims 1-27 and 48-52, drawn to automatic optical fiber testing preparation, classified in class 356, subclass 73.1; and
- Group II. Claims 28-47, drawn to spool and pallet, classified in class 242, subclass 462.

The Examiner asserted that these inventions may be regarded as independent and distinct from one another because inventions Groups I and Group II are related as combination and subcombination.

Applicants provisionally elect the Group I claims 1-27 and 48-52 with traverse. Applicants respectfully traverse the Examiner's Restriction Requirement on the grounds that the proposed inventions are not independent and distinct from one another and that the proposed inventions are inextricably intertwined, and prosecution of the proposed groups of claims together would be most effective for the Office. In order to conduct a comprehensive search regarding any one of the groups, including the group provisionally elected above, it would be inherently necessary to review the same pertinent fields and classes of prior art relating to the other groups. Moreover, the important questions of patentability and claim interpretation are likely to be based on substantially similar issues and evaluations for each group of claims, and would require consideration of the same prior art, and combined prosecution is therefore less likely to result in inconsistent or conflicting file histories.

As such, Applicant respectfully requests that the Examiner withdraw the Restriction Requirement in the next subsequent Office Action, and continue prosecution of Groups I and II, claims 1-52 together with one another.

2. Conclusion

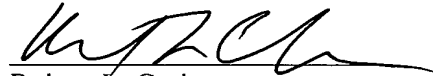
In view of the above, Applicants submit that the pending claims are in condition for allowance, and such allowance is earnestly solicited.

Applicants believe that no extension of time is necessary to make this Response timely. Should Applicants be in error, Applicants respectfully request that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Response timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Robert L. Carlson at 607-974-3502.

Respectfully submitted,

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Date: June 9, 2003

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8: I hereby certify that this paper and any papers referred to herein are being deposited with the U.S. Postal Service, as first class mail, postage prepaid, addressed to the Commissioner of Patents, Alexandria, VA 22313-1450 on June 9, 2003.


Robert L. Carlson, Signature

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VERSION OF MARKINGS TO SHOW CHANGES MADE

In the claims:

34. The pallet of claim [1]28 wherein the pallet is further adapted for use with a conveyor system to carry the spool of optical fiber from a first automated test station to second automated test station.

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